

Ochoco and Deschutes National Forests and Prineville District, Bureau of Land Management Office of Communications

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News and Information
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Local Man Prosecuted for Illegal Outfitter Guide Operation

CENTRAL OREGON-On October 3, 2003, Bureau of Land Management (BLM) river rangers made contact with a rafting party on the John Day River. The party's leader, a Carl J. Rapp, had a river permit that had been cancelled in May of 2003. Although Rapp claimed he was conducting a private trip, a BLM law enforcement investigation proved otherwise. Rapp was charged with failure to obtain a permit for a commercial operation.

On February 13, Carl J. Rapp, 45, of Bend pled guilty to conducting a commercial operation on public lands without a permit. In exchange for a guilty plea to violating 43 CFR 8372.0-7(a)(1), Rapp agreed to accept a sentence of a \$500 fine, a suspended 7-day jail sentence and three years of unsupervised probation by U.S. Magistrate Judge Dennis Hubel. Sentence was recommended by Assistant United States Attorney William Fitzgerald and was the result of a plea bargain between the government and Rapp.

In return for the guilty plea, the Government agreed not to seek indictment for any related felonies, including willfully making a false statement, in violation of 18 U.S.C. 1001, and unlawful taking of wildlife under the Lacey Act, 16 U.S.C. 3372.

During probationary period, unless specifically authorized by a valid BLM Special Recreation Permit, he will: (1) not engage in any commercial activities on BLM public lands/waters; (2) not be on a boat on Lower Deschutes or John Day Rivers; and (3) not perform guide and outfitting services as an employee, agent, or volunteer on any BLM Special Recreation Permit holder.

"There is substantial risk involved when people choose to participate in illegal outfitter guide operations on public lands," said Prineville BLM District Law Enforcement Ranger Tom Teaford. "Our river rangers monitor commercial and non-commercial use to ensure proper compliance. We take necessary law enforcement action as required by law," added Teaford. Illegal outfitter/guide operations may receive a maximum penalty of 1 year in jail and \$100,000 in fines. Clients can also be prosecuted for participating in an illegal trip.

Outfitter guide permittees may operate under a Special Recreation Permit issued by the BLM. The cost of the permit is equivalent to 3% of the outfitter's gross. The fee covers the administrative costs of the program, which is designed to ensure clients' safety and quality of experience.